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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62244

Junichiro SHIBATA, et al.

Appln. No.: 09/733,984

Group Art Unit: 2615

Confirmation No.: 3673

Examiner: Tuan V. Ho

Filed: December 12, 2000

For: PORTABLE TERMINAL

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks which summarize the interview conducted on March 8, 2005.

REMARKS

In the interview conducted on March 8, 2005, the Examiner was asked to clarify the reasons, as set out in the January 25, 2005 Office Action, for finding the 37 C.F.R. § 1.131 Declaration of Junichiro Shibata insufficient to swear behind Mack et al. (U.S. Patent No. 6,510,325). In response, the Examiner represented that Applicants would need to submit another declaration under 37 C.F.R. § 1.131 showing "day-to-day" diligence during a ten (10)-day period from September 17, 1999 (the date of the assignment referenced in the August 24, 2004 Declaration of Junichiro Shibata) through September 27, 1999, the U.S. filing date of the Mack reference.

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The Examiner was asked if he could confirm whether or not there is a requirement that diligence be shown on a "daily" basis during the referenced ten (10)-day period of September 17, 1999 through September 27, 1999. The Examiner, on the same day, represented that his supervisor concluded that such "daily" diligence need not be proved during this ten (10)-day period. As such, the Examiner concluded that the 37 C.F.R. § 1.131 Declaration of Junichiro Shibata, as filed, was sufficient to antedate the Mack reference.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Eric P. Halber
Registration No. 46,378

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: March 11, 2005